

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/9/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NATIONAL COALITION ON BLACK CIVIC :  
PARTICIPATION, ET AL., :  
:   
Plaintiffs, :  
:   
- against - :  
:   
JACOB WOHL, ET AL., :  
:   
Defendants. :  
-----X

20 Civ. 8668 (VM)

**ORDER OF CONDITIONAL**  
**DISCONTINUANCE**

VICTOR MARRERO, United States District Judge.

At the request of the parties, the Court referred the case, only against Defendant Message Communications, to the Court-annexed Mediation Program on December 8, 2021. See Dkt. No. 159. On May 5, 2022, the Mediator filed a final report notifying the Court that Plaintiffs and Message Communications reached an agreement in principle to resolve this action without further litigation, it is hereby

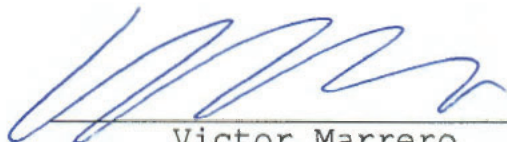
**ORDERED**, that this action be conditionally discontinued, as to Defendant Message Communications, without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendants shall continue to be subject to the Court's jurisdiction, the Court shall promptly

reinstate the action and any pending motions to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

Any further conferences with the Court are canceled as to defendant Message Communications but shall be rescheduled as set forth above in the event plaintiffs notify the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein. All other Defendants shall continue discovery following the Case Management Plan and any direction by Magistrate Judge Wang.

**SO ORDERED.**

Dated: NEW YORK, NEW YORK  
9 May 2022

  
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Victor Marrero  
U.S.D.J.